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03 UNITED STATES DISTRICT COURT  
04 WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

05 DONALD L. GRABNER, ) CASE NO. C09-0012-RSM  
06 )  
Plaintiff, )  
07 )  
v. ) ORDER DENYING *IN FORMA*  
08 ) *PAUPERIS* APPLICATION AND  
JULIE C. WALTERS, et al., ) DISMISSING MATTER WITHOUT  
09 ) PREJUDICE  
Defendants. )  
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11 The Court, having reviewed plaintiff's Application to Proceed *In Forma Pauperis*, the  
12 Complaint, the Report and Recommendation of the Honorable Mary Alice Theiler, United States  
13 Magistrate Judge, and the remaining record, does hereby find and ORDER:

- 14 (1) The Court adopts the Report and Recommendation;  
15 (2) Plaintiff's Application to Proceed *In Forma Pauperis* is DENIED;  
16 (3) This matter is DISMISSED without prejudice; and  
17 (4) The Clerk is directed to send copies of this Order to plaintiff and to the Honorable  
18 Mary Alice Theiler.

19 DATED this 25<sup>th</sup> day of February, 2009.

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22 RICARDO S. MARTINEZ  
UNITED STATES DISTRICT JUDGE